

Office Memorandum • UNITED STATES GOVERNMENT

TO : Assistant Director for Operations

DATE: 26 March 1957

FROM : Chief, Foreign Documents Division

SUBJECT: Copyright Provisions Applying to Soviet Bloc Publications
and Press Wire Services

OGC HAS REVIEWED.

1. I have contacted the Department of State on the subject of copyright and have received the following advice from Mr. Elias C. Rodriguez, International Business Practices Division, ITR, Bureau of Economic Affairs, and Mr. Jack F. Matlock, Division of Research for USSR and Eastern Europe, R Area.

a. Publications

(1) USSR. There is definitely no copyright convention between the USSR and the U.S. Any Soviet publication may be reproduced or translated and republished in the U.S. with impunity and without fear of infringement or potential suit. The Soviets do the same to U.S. publications. However, from time to time on a very erratic basis they do tender payment of some royalties to a few U.S. authors. This is permitted by Soviet law.

(2) Eastern Europe. For the Eastern European Satellite countries, the situation is more complicated. In general we do have conventions with each of these countries except Bulgaria. Accordingly, Bulgarian publications may be treated in the same way as Soviet publications as far as copyright is concerned. However, for the other countries, excepting Yugoslavia and Albania, we are obliged to recognize copyright where it is stipulated even though the author may not have yet registered it with the U.S. Copyright Office. He is privileged to effect registration at any time within the 28 years of copyright protection and file retroactive suit for infringement.

(3) Communist China. A technical legal point arises here in that we do not accord diplomatic recognition to Communist China. We do however recognize the literary product of Chinese nationals. The Chinese Communists (presumably through representatives in this country) have requested registration with the U.S. Copyright Office of some of their books, notably the Works of Mao-tse-tung.

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Each such request has been reviewed and denied on certain technical grounds so far. Although it is doubtful that the Chinese Communists would ever try to enter suit in the U. S. for infringement inasmuch as they recognize no U. S. copyright in their own country, still from a legal standpoint, the issue is not clear.

b. Press Wire Services. There is no convention covering press wire services. As you probably know, in the U. S., common law provides protection for the press services. However, in Europe there is no protection at the present time for any of the countries. This has been recognized as a serious problem and there is at present a study being developed by UNESCO which, it is believed, will lead to the establishment of an international convention affording protection to press wire services.

2. There is attached for your information a copy of "International Copyright Relations of the United States of America" issued by the Office of the Legal Adviser, Department of State.

J. J. BAGNALL

Enclosure:

"International Copyright Relations
of the USA" dtd August 1, 1951

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